

Josef fritzl and classical theory philosophy essay



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An Austrian man named Josef Fritzl held his daughter Elisabeth captive in an underground section of the family house for twenty-four years, causing an international scene in early 2008. Over the course of two decades, Elisabeth was repeatedly sexually and physically abused, fathering her seven children as well as one miscarriage. As such, Fritzl was charged with incest, false imprisonment, enslavement, kidnapping, negligent homicide and coercion which resulted in life imprisonment. Through personal accounts and or interviews of the individual in question, it can be highlighted that the Classical theory of criminology can be primarily used to underpin Mr Fritzl's motives and behaviour towards the crime itself.

The Classical Theory is a theory, which argues that individuals are essentially free willed, and can calculate the course of action that he or she wishes to take. This idea is reinforced by a philosophy that humans were governed by self interest or hedonism, where an individual would place themselves above others. Classified as the ' pain-and-pleasure' principle, often individuals would commit crimes after they evaluated the costs and benefits involved, and only if it was advantageous towards them (Lilly, Cullen & Ball 2002). An extension to this theory (classical theory) explores the extent that criminals will go through to reduce the risks of being apprehended, by considering the location, time, and the logicity of it. The allure of minimising pain can often tempt individuals to commit crime, if they plan and prepare their course of action in a rational manner, thus labelled as the rational choice theory (McCormick & Claude 1983).

In response to Fritzl's conviction, Josef gave a truthful confession to Austrian prosecutors in a seemingly desperate attempt to justify what he had done.

This was then subsequently recorded by the media and published. As aforementioned, the classical theory contends that individuals possess the freedom of choice, thus, in reference to the incident; Mr Fritzl had the capacity to do as he wished, to either continue or refrain from his enslavement of Elisabeth. The implication that the classical theory holds on individuals is clear cut and concise, for if an individual is not forced into an action then it is solely theirs to make. Fritzl admitted that ‘ I was really thinking about whether I should let her go or not. But I was not able to make that decision’. This advocates that Classical Theory is in play, for though Fritzl possessed the power to ‘ let her go’; he did not, highlighting his freedom of choice in the matter.

Another aspect of the Classical Theory is the pain and pleasure principle. This concept is based on offenders who seek to gain maximum pleasure, but inversely minimum pain, through either weighing up the costs and benefits, and the severity of the punishment if caught. This notion of pain and pleasure builds on the assumption that individuals have a selfish-nature, and only put themselves first because it is advantageous for them to do so. Fritzl commented that ‘ it was great for me to have a second proper family in the cellar’, which shows his sheer disregard for anyone but himself, and that he would go to any length to satisfy his ‘ wants’.

Mr Fritzl mentioned that “ The urge to have sex with Elisabeth was getting stronger and stronger and that he was also” afraid of being arrested and of having my family and everyone out there find out my crime” (Marsh 2009). These quotes add weight to Mr Fritzl who sought to satisfy his sexual needs, by abusing his daughter, as horrific as it may have seemed. Once Fritzl had

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begun to assault Elisabeth, he had established his source of pleasure, and it is in light of this that releasing his daughter, would only bring pain to him mentally or physically. He went on to state that “ I was afraid of being arrested and of having my family and everyone out there find out about my crime”. This illustrates that Fritzl recognised the costs and benefits of such an action, and thus knew that letting his daughter go would bring about much pain to him either through the law, or alienation from family and friends. This indeed proved to be the case as a year after Fritzl was convicted, he mentioned that his inmates ‘ continually yelled at him’, saying “ Satan, come on out – we’re going to kill you.”, showing the consequences of being arrested that Fritzl had calculated, but sought to avoid through secrecy and clandestine methods of captivity.

The pain and pleasure principle is simple enough, however it leads on to the Rational Choice theory.

Rational Choice THEORY This can be further exemplified through Fritzl’s statement, “ I spent 6 years planning” before he executed his plan. He even went through the extent of purchasing ‘ a hinged door that weighed 500 kg’, and having an unnecessary amount of electronic doors to get to the cellar (8 in total). With this much detail involved in a crime, offenders may be more inclined to commit it if they weigh the risks involved,

The cellar of my house, at the end of the day, is my house.

On the other end of the spectrum, while much of Fritzl’s confession can be explained through the Classical theory and its sub theories, the positivism

theory can also provide a plausible explanation towards criminal rationale, by exposing the limitations of the Classical Theory.

The positivism theory disputes that the reason a crime is committed is because of three main aspects; biological, psychological and social. The concept of the positivism theory lies heavily in the fact that an individual is either born to be this way, or influenced socially (Sigmund Freud 1986). In a psychiatric assessment, Fritzl stated that ‘ I was born to rape and I held myself back for a relatively long time”, illustrating that it was the biological aspect of his creation that caused him to adopt such horrific desires. In other words, the positivism theory delves into intrinsic nature of humans themselves, often highlighting certain foul traits or attitudes. In reference to this case, it is clear that Josef Fritzl bore a hedonistic approach to life, which may have been inherent of his innate evil nature, thus making him ‘ born to rape’.

This scientific approach does not take into account social factors, rather that criminals are either born to be this way or not. Building on this approach, it is the psyche of an individual that makes a criminal, who they are. Sigmund Freud proposed that criminal behaviour is either the result of mental illness or a weak conscience. Through Fritzl’s words himself, he commented that he “ always knew during the whole 24 years that what I was doing was not right, that I must have been crazy to do such a thing, yet it became a normal occurrence to lead a second life in the basement of my house. Fritzl did indeed recognise the legalities of his actions and could differentiate between right and wrong. However, his moral compass proved to be feeble, for he

could not find it in himself to let Elisabeth go. Hence, it is clear that the positivism theory is in play.

A limitation of the Classical Theory is that it does not take into account the social standings of an individual, and the environment he or she is in. A criminal may be influenced to do something, however ultimately it is still their choice, and they have the freedom to do what they want. Hence, the Classical theory has its drawbacks in explaining the motives behind individuals who have been affected socially. The social learning theory (Bandura 1977)

Fritzl confessed to his lawyer Rudof Mayer that ‘ I grew up in the Nazi times, and that meant the need to be controlled and respect authority’. Whether or not Fritzl rejected or accepted these views is unknown, however growing up as a child in such extreme times may have influenced his views regarding decency and good behaviour negatively. In the confession, Fritzl placed heavy emphasis on the era upon which he was brought up in, and also the abuse he suffered as a child. As expected, the views (power and control) of the Nazi’s rubbed off on Fritzl for he admitted that ‘ It(home) belongs to me. It is my kingdom only I can enter. Fritzl gained pleasure from oppression and it is in light of this that he desired to always be in control, no matter the costs, just like the Nazi’s. Initially Fritzl had described his mother to be the best woman in the world” and “ as strict as it was necessary” (Stewart 2008), however as the confession progressed, his view changed to one of contempt. He admitted that ‘ she used to beat me, hit me until I was lying in a pool of blood on the floor. It left me feeling totally humiliated and weak. My mother was a servant and she used to work hard all her life, I never had a

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kiss from her, I was never cuddled although I wanted it – I wanted her to be good to me.’ Fact or fiction, Fritzl’s fractured relationship with his mother would have affected him both in the sense physically and mentally, demonstrating the high levels of discord within his family. This may have given rise to the ‘beast’ within him, thus reiterating the positivism theory at play.

Upon closer inspection, the psychological aspect of the positivism theory reveals that often c

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Sigmund Freud proposed that criminal behaviour is either the result of mental illness or a weak conscience. Through Fritzl’s words himself, he commented that he “always knew during the whole 24 years that what I was doing was not right, that I must have been crazy to do such a thing, yet it became a normal occurrence to lead a second life in the basement of my house. This illuminates that Fritzl did indeed recognise the legalities of his actions and could differentiate between right and wrong through his conscience, however feeble it proved to be, he still possessed one. Many criminals often turn themselves, in due to the sheer guilt that overcomes them, and this only reinforces the role that conscience can play on an individual. Others however, dare not commit the crime because they instinctively understand the notion of what is wrong and what is right. Ergo, the concept of a weak conscience in the positivism theory agrees with Fritzl’s view.

On the other hand, the positivism theory also contends that rather than biological or psychological causes, it is one's social standings that play the largest role.

In conclusion, the classical theory, coupled with its sub-theories on criminology, definitely agree with Fritzl's account on the actions that took place under his home. While this theory agreed with the majority of Fritzl's confession, it can also be seen that it bears its flaws and limitations, namely with the omission of external factors such as the biological and psychological side to criminal activity. Certain individuals are born with an intrinsic nature to cause crime, and thus, the positivist theory can also be referred to, to explain Fritzl's actions. Further to this, the social learning theory takes into consideration the social upbringing and environment for an individual, which help bring to light the mysteries regarding Josef Fritzl's childhood and crime.

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